IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY PETITION NO.227 OF 2005

Indian Oxides & Chamicals Ltd. Petitioner

versus

M/s.Cable Corpn. of India Ltd. Respondent

Mr.Amit Shroff for petitioner.

Mr.Chandra Naik for respondent.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 27th April 2006

PC :

1. The parties to this petition when it was placed for admission and not being admitted, have settled their dispute. They have drawn up consent terms. The respondent company has admitted its liability to pay to the petitioner a sum of Rs.3,83,604/- in eight monthly instalments stipulated in clause-2. The petitioner has agreed to accept the same in full and final settlement. Two defaults in payment are made permissible vide Clause-3 of Consent terms. The consequences of payment are that the company

petition as also a civil suit was to stand dismissed without prosecution.

2. The terms are signed by the petitioner and the respondent through their authorised signatories. The same are also signed by their advocates. Parties have put an end to their disputes. Consent terms taken on record and marked "X" for identification. Order in terms of consent terms. Upon the suit filed in this Court being withdrawn, as provided in the consent terms, from the date of payment of last instalment, naturally the petitioner-original plaintiff would be entitled to refund of court fee as per rules. All undertakings of both sides are accepted.

(S.C.DHARMADHIKARI, J.)